IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

-

WRIT PETITION NO : 3982 of 2005

Between:

S.K.Nazeeruddin, s/o .S.K.Khasumiah,
r/o H.No.2-1, Chanda Nagar, Serilingampally Mandal,

R.R.District.

..... PETITIONER

AND

1 The Superintendent of Police, Medak District at Sanga Reddy.
2 Sub-Inspector of Police, P.S.Ramachandrapuram, at Ramachandrapuram,

Medak District.
3 Mrs.B.Uma Malini, w/o B.V.Ramana Goud,
Proprietor of M/s.Suraj Enterprises (Pharmaceuticals Distributors)

Ramachandrapuram, Medak District,
r/o HIG-125, BHEL, Ramachandrapuram, Medak District.
4 B.V.Ramana Goud, s/o B.Kista Goud,
Proprietor of M/s.Suraj Enterprises, Ramachandrapuram, Medak District
r/o HIG-125, BHEL, Ramachandrapuram, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, more particularly one in the nature of mandamus, directing the respondents herein not to take law into their own hands, to act in accordance with law, not to infringe the petitioners fundamental rights and legal rights guaranteed to him by the Constitution of India and pass such other and further orders as are just and necessary in the circumstances of the case.

Counsel for the Petitioner: MR.MIRZA NISAR AHMED BAIG

Counsel for the Respondent Nos.1 & 2: G.P. FOR HOME

The Court at the stage of admission made the following

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.No.3982 of 2005

ORAL ORDER:

Heard both sides.

2. The complaint of the petitioner is that the second respondent on the alleged complaint made by the fourth respondent has been demanding substantial amount in order to settle the matter. The veracity or otherwise of the said statement has to be investigated into with due care and caution.

3. It is further contended that the second respondent has been taking the law into his own hands by making such demands at the instance of the fourth respondent.

4. Neither there is any proof or whatsoever before this Court nor the learned counsel appearing for the petitioner able to come forward with any such material as to whether any such complaint was against the petitioner by the

fourth respondent. In such an event, it is difficult for this Court to pass any positive orders directing the second respondent to act in a particular manner.

5. However, it is made clear that the second respondent shall act in accordance with law, by way of investigation into any complaint as and when made, particularly, in the present case, if any complaint is made by the fourth respondent only after following due process of law. Any deviation from this established norms and also the law should by all means be deprecated.

6. For the foregoing reasons, suffice it to close the present writ petition with a direction to the second respondent not to take the law into his hands and to act and proceed strictly in accordance with law, if any complaint is made against the petitioner.

7. With the above observations, the writ petition is closed at the stage of admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

04TH MARCH 2005

ISN/KRK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintendent of Police, Medak District at Sanga Reddy.
2 Sub-Inspector of Police, P.S.Ramachandrapuram, at Ramachandrapuram,

Medak District.
3. Two CCs to G.P. for Home, High Court buildings, Hyderabad (OUT).

4. Two CD copies

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

04TH MARCH 2005